

FILED

NOV 16 2022

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA LEE,

Defendant.

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4:22CR648 AGF/JMB

MOTION FOR PRETRIAL DETENTION AND HEARING

The United States of America, by and through its Attorneys, Sayler Fleming, United States Attorney for the Eastern District of Missouri, and Kourtney M. Bell, Assistant United States Attorney for the District, moves the Court to order Defendant detained pending trial and further requests that a detention hearing be held three days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is currently charged with one count of being a Felon in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1).

2. Pursuant to Title 18, United States Code, Section 3142(g)(2), the weight of the evidence involves a prohibited person, Defendant, knowingly possessing a Smith and Wesson 4566 .45 Auto caliber semi-automatic pistol, in the Eastern District of Missouri, on August 6, 2022. The aforementioned was discovered on Defendant's person after police detained Defendant at a near by gas station. Officers with the Saint Louis County Police Department were initially dispatched to 9860 Lorna Lane, a single-family residence in Saint Louis County, after the report of a shooting. Upon arriving on scene, the officers were informed that Defendant shot

someone inside of the residence and fled thereafter on foot. The officers later discovered a woman on the living room floor bleeding from her lower back—the woman was unable to provide a statement at that time due to her condition.

3. In a subsequent interview, the victim informed law enforcement that, prior to the shooting, Defendant hit her in the face with an open hand while the two were in the parking lot of the Dellwood Market. Thereafter, Defendant arrived at her house, followed her inside, and began strangling her—the victim could not breathe and loss consciousness. While being strangled, the victim noticed that Defendant was armed with a firearm and attempted to remove it from his person, as she did not want Defendant to kill her with it. In response, Defendant removed the firearm from his waistband, wrapped it in a blue bed sheet, and placed it to her head. Thereafter, Defendant informed the victim that “[t]here’s even on in the head” and stated that he was going to kill her family members. As the victim attempted to remove the firearm from her head, Defendant shot her in the chest and eventually exited from the residence.

4. Pursuant to Title 18, United States Code, Section 3142(g)(3), the history and characteristics of Defendant’s criminal history includes felony convictions in Missouri for: Shooting at a Motor Vehicle (Attempted) and Possession of a Controlled Substance. Defendant also has a federal conviction for being a Felon in Possession of a Firearm, within the Eastern District of Missouri, in Case Number: 4:15-CR-564-1 RLW. It is the United States’ further understanding that Defendant has had several parole violations in the past, is presently on supervised release in the Eastern District of Missouri and is facing revocation in light of the aforementioned conduct.

5. Pursuant to Title 18, United States Code, Section 3142(g)(4), the nature and seriousness of the danger to any person or the community that would be posed by Defendant’s release warrant Defendant’s detention pending trial. Defendant has been previously convicted in

the Eastern District of Missouri for being a Felon in Possession of a Firearm. Defendant faces a significant period of confinement should he be convicted of the charged offense. The United States has no confidence that lesser restrictive sanctions will protect the public from Defendant's behavior, as Defendant was on supervised release at the time of the alleged incident and is facing his third case involving the possession of a firearm within the past 11 years. Thus, Defendant should be detained pending trial, as he is a dangerous individual, who is incapable of engaging in lawful conduct, and presents a threat to people residing throughout the Eastern District of Missouri.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

SAYLER FLEMING
United States Attorney

s/ KOURTNEY M. BELL
KOURTNEY M. BELL, #300171 (CA)
Assistant United States Attorney